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February 6, 2024

Via ECF

The Honorable Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007

The hearing currently set for February 23 is hereby
adjourned to February 27, 2024, at 1 PM.

SO ORDERED.



Arun Subramanian, U.S.D.J.

Date: February 6, 2024

Re: *Hongmian Gong v. Lerone Savage*, 23-CV-07355 (AS)

Dear Judge Subramanian,

Plaintiff hereby respectfully requests adjournment of the hearing, currently scheduled for February 23, 2024, at 4:30 pm, to the next available hearing date.

Pursuant to an order issued on January 29, 2024 (ECF 37) (the "Order"), a hearing on Defendant's Motion to Dismiss Plaintiff's Amended Complaint (the "Hearing") is currently scheduled by the Court for February 23, 2024, at 4:30pm (the "Hearing Date"). In the Order, the Court also directed Plaintiff to serve the Order on the City University of New York (CUNY) and Elsevier, such that these non-parties are aware of the Hearing. Plaintiff hereby respectfully requests that the Hearing be adjourned. We will suggest, subject to the Court's approval, a date or dates that would be convenient for the Court, the parties, and their counsel. We also request that we be permitted to serve the notice on CUNY and Elsevier once the Hearing Date has been reset. Since the Court requires requests for adjournments to be filed at least two days before the Hearing Date, this motion is being timely filed.

As of the filing of this letter motion, we have made no previous requests for an adjournment of the Hearing. Plaintiff's counsel requests this adjournment because the Hearing's currently scheduled time, 4:30pm on a Friday, would conflict with observance of the Sabbath by one of Plaintiff's counsel. Defendant's counsel has consented to this request for an adjournment. As of the filing of this motion, Plaintiff and Defendant must file a joint letter addressing the Court's inquiries pursuant to the Order by February 7, 2024. This letter does not request any adjournment or extension of the February 7, 2024, deadline.

Accordingly, Plaintiff's counsel respectfully requests that the hearing on Defendant's Motion to Dismiss Plaintiff's Amended Complaint currently scheduled for February 23, 2024, at 4:30 pm be adjourned until the next available hearing date convenient for the Court, the parties, and their counsel. Thank you for your consideration.

Hon. Arun Subramanian February 6, 2024 Page 2 of 2

Respectfully submitted,

By: /s/ Robert D. Katz

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